

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brian Jones et al.	Examiner:	Chen, Qing
Serial No.:	10/731,899	Group Art Unit:	2191
Filed:	December 9, 2003	Docket No.:	60001.0182USI1/303914.01
Title:	MECHANISM FOR DOWNLOADING SOFTWARE COMPONENTS FROM A REMOTE SOURCE FOR USE BY A LOCAL SOFTWARE APPLICATION		

**FORTIETH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is being filed concurrent with the Request for Continued Examination under 37 C.F.R. §1.114. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided. The undersigned directs the Examiner's attention to the Koyaku article, which was previously cited in Thirty-Eighth Supplemental Information Disclosure Statement filed on December 24, 2008. This article is being re-submitted to include an English language translation for the Examiner's consideration.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

The undersigned requests the Examiner to return a copy of the 1449 Form filed with the Fifteenth Supplemental Information Disclosure Statement on December 18, 2006, marked as being considered and initialed by the Examiner, with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

/D. Kent Stier/

Date: March 28, 2009

D. Kent Stier
Reg. No. 50,640

DKS:mdc

